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JUL 12 2012

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

LONG ISLAND OFFICE

- - - - - X

UNITED STATES OF AMERICA

C O M P L A I N T

- against -

(T. 18, U.S.C., § 1709)

JOSEPH MENDOZA,

Defendant.

12-0661M

- - - - - X

EASTERN DISTRICT OF NEW YORK, SS:

KEITH BOYCE, being duly sworn, deposes and says that he is a Special Agent for the United States Postal Service, Office of Inspector General ("U.S.P.S. OIG"), duly appointed according to law and acting as such.

On or about July 11, 2012, within the Eastern District of New York, the defendant JOSEPH MENDOZA, being a United States Postal Service employee, did knowingly and unlawfully steal, abstract and remove from letters, packages and mail, articles and things contained therein.

(Title 18, United States Code, Section 1709).

The source of your deponent's information and the grounds for his belief are as follows:¹

¹ Because the purpose of this Complaint is to state only probable cause to arrest, I have not described all the relevant facts and circumstances of which I am aware. In addition, when I rely on statements made by others, such statements are set forth in part and in substance unless otherwise indicated.

1. I have been a Special Agent of the U.S.P.S. OIG for approximately seven years. During my tenure with the U.S.P.S. OIG, I have participated in numerous theft of mail investigations, during the course of which I have conducted surveillance, reviewed numerous recorded conversations and interviewed cooperating sources.

2. The defendant JOSEPH MENDOZA is an employee of the United States Postal Service and is employed as a Letter Carrier at the Huntington Station Post Office in Huntington, New York. MENDOZA is assigned to cover various postal routes for other letter carriers on their days off.

3. In August 2010, your deponent received information that the defendant JOSEPH MENDOZA was believed to have stolen United States mail. In August 2010, your deponent began an investigation into the actions of the defendant.

4. On or about July 10, 2012, I prepared a test parcel that purportedly came from the "Geneva Watch Group." This test parcel contained a non-existent mailing address, with a non-existent return address. Also, the non-existent mailing address was not on JOSEPH MENDOZA's assigned route for July 11, 2012, Carrier Route 5, in Melville, New York.²

² The Huntington Station Post Office serves customers in both the Huntington Station and Melville zip codes.

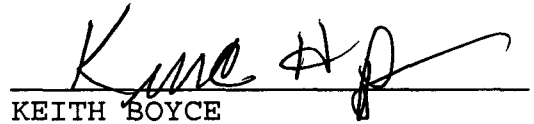
5. The next day, a postal employee, acting at the direction of law enforcement officers, placed the test parcel in a postal container in an area of the Huntington Station Post Office where parcels were sorted for delivery in Carrier Route 5. The test parcel contained a transmitter that emits a radio signal that allows law enforcement to track the location of the test parcel. The transmitter also contained a trip device, that emits a beeping sound when the parcel is opened.

6. On or about July 11, 2012, I observed the defendant JOSEPH MENDOZA approach the area where the test parcel was placed. I observed MENDOZA take all parcels, including the test parcel, to his workstation where Carrier Route 5 mail is sorted. I further observed MENDOZA sort his parcels, and place the test parcel in a postal container. MENDOZA then placed a bundle of newspapers and personal items on top of the test parcel. MENDOZA then placed that container, along with other mail for delivery on Carrier Route 5, in his postal vehicle.

7. Later that day, I observed JOSEPH MENDOZA delivering mail on Carrier Route 5. While MENDOZA was eating lunch, in his postal vehicle, law enforcement officers heard the beeping sound of the test parcel's trip device, signaling that the test parcel had been opened. Law enforcement officers then approached MENDOZA. Upon approaching MENDOZA, they observed the opened parcel, in plain view, in MENDOZA's postal vehicle.

8. JOSEPH MENDOZA was then advised of his Miranda rights, which he agreed to waive orally and in writing. In response to subsequent questioning, the defendant admitted, in sum and substance, that he opened the parcel, and that he knew the address on the parcel was non-existent. MENDOZA further admitted that he knew it was wrong to open the parcel.

WHEREFORE, your deponent respectfully requests that the defendant JOSEPH MENDOZA be dealt with according to law.


KEITH BOYCE
Special Agent, U.S.P.S. OIG

Sworn to before me this
12th day of July, 2012

HONORABLE WILLIAM D. WALL
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK